

LYNDON CITY COUNCIL
REGULAR MEETING MINUTES OF
September 16, 2019

The Lyndon City Council met in regular session on Monday, September 16, 2019, 7:00 p.m., at City Hall.

1. CALL TO ORDER: Mayor Morrison called the meeting to order.

- a) ROLL CALL: City Clerk called roll of the City Council. Mayor Morrison and members Doug Harty (7:23), Kevin Heit, Darin Schmitt and Katie Shepard (7:10) present. Bill Patterson absent with notification.

City Staff present: Pat Walsh, City Attorney; Julie Stutzman, City Clerk; Scott Culley, Public Works; and David Forkenbrock, Patrolman.

Others Present: Wes Weishaar, BG Consultants; Travis Brown, Zoning Administrator; Daniel Davis, Osage Herald Chronicle; Brett Lewis; Lynn Atchison; and Gene Hirt.

2. APPROVAL OF MINUTES OF PREVIOUS MEETING:

- a) Shepard made the motion to approve the regular meeting minutes of September 3, 2019 as amended. Heit seconded; motion carried.

3. CONSENT AGENDA:

- a) Approval of Bills: Schmitt made the motion to approve the bills as set forth. Shepard seconded; motion carried.

4. PUBLIC COMMENTS: Gene Hirt spoke again about his concerns in regards to issues on Ash Street from 10th to 6th Street. He also questioned why Ash Court has never been paved.

Mayor Morrison stated to clear the record, a good portion of Ash Street is scheduled to be resurfaced when Killough comes through in the next few weeks. He also stated that when Ash Court was created, the developer chose not to pave the streets as was the same with Jackson Street when it was developed.

5. CORRESPONDENCE TO COUNCIL: None.

6. UNFINISHED BUSINESS:

- a) SEWER PLANT PROJECT UPDATE - BG CONSULTANTS: Wes Weishaar with BG Consultants provided Council with the following project update:

Wastewater Treatment Improvements: Substantially Complete.

- Contractor currently working on punch list.
 - Site walk-through on September 10 showed significant process.

- Large items remaining include gas detection sensor replacement, light fixture troubleshooting (battery operation), lagoon grading and overall reseeding.
- Various cleanup and items remain as well.
 - HVAC system is operationally complete.

Sanitary Sewer Collection System Mainline Improvements: 100% complete.

- Project is complete and ready for closeout.
- Pay Application #13: **\$16,000.00**
- Completion of Work Certificate.

Sanitary Sewer Service Tap Improvements: 100% complete.

- Project is complete and ready for closeout.
- Pay Application #15: **\$2,737.73 (Work Completed)**
- Pay Application #16: **\$92,750.80 (Retainage)**
- Completion of Work Certificate

- b) FINAL PAY APPLICATION #13 – REED DOZING: Schmitt made the motion to approve Pay App #13 for Reed Dozing in the amount of \$16,000.00. Shepard seconded; motion carried.
- c) COMPLETION OF WORK CERTIFICATE- REED DOZING: Schmitt made the motion to approve the completion of work certificate. Shepard seconded; motion carried.
- d) PAY APPLICATION #15 – PIPE SERVICES: Schmitt made the motion to approve Pay App #15 for Pipe Services in the amount of \$2,737.73. Heit seconded; motion carried.
- e) FINAL PAY APPLICATION #16 – PIPE SERVICES: Schmitt made the motion to approve Pay App #16 for Pipe Services in the amount of \$92,750.80. Harty seconded; motion carried.
- f) COMPLETION OF WORK CERTIFICATE - PIPE SERVICES: Schmitt made the motion to approve the completion of work certificate. Shepard seconded; motion carried.

- g) TRAILER PURCHASE APPROVAL: The Maintenance Supervisor provided Council with four quotes for a trailer to haul city equipment. He stated the trailers are all approximately 83 x 20 and the difference in price is based on the axles and weight. The quotes were: Jim's Trailer Sales \$3,595.00; Reed Company \$4,450.00; Hoyt's Truck Center \$4,600 and \$4,100.00 depending on the axles. After brief discussion, Shepard made the motion to approve the quote from Jim Trailer's Sales in the amount of \$3,595.00. Heit seconded; motion carried.

7. NEW BUSINESS:

- a) RESOLUTION NO. 19-04 - USD 421 VARIANCE: USD 421 submitted a variance to place a new sign at the elementary school which did not meet R-1 zoning regulations. The City Attorney stated Mr. Brown the Zoning Administrator and the Planning Commission held a public hearing on the variance on September 11, 2019 and there is a state law on what the commission considers for the variance. The language was put in the resolution which concurs with the commission's findings. The variance allows the sign to be put nine feet from the front sidewalk and nine feet off the north-south sidewalk. The Zoning Administrator stated that it was eight feet, however, was increased to nine feet of each sidewalk due to the height of the sign. Schmitt made the motion to approve Resolution 19-04 granting USD 421 a variance on placement of the new sign at the elementary school. Shepard seconded; motion carried.
- b) CLEANING BIDS: The City Clerk stated that after many years, Helen Mast stated they will not longer be able to continue cleaning services at City Hall and the Community Center. It was noted that they have been cleaning for the city at least 15 years. The City Clerk stated she spoke with the City Attorney who stated in the past bids were obtained. The bid ad was submitted to the paper and will be published for two weeks. She provided Council with copies of the ad and bid sheets as were used the last time bids were taken for the service. The deadline for bid submittal is Friday, October 4, 2019 by 5:00 p.m. It was noted that they will continue to clean until they city hires someone new.

8. STAFF REPORTS:

- a) POLICE: Council received a copy of the Officer Activity report from August 29 to September 14, 2019.
- b) PLANNING AND ZONING: Council received a copy of the Zoning Administrator's report and copies of approved permits for review.
- c) PUBLIC WORKS: Council received a copy of the Maintenance Activity report from September 3 to September 16, 2019.

Mayor Morrison asked the Maintenance Supervisor if the area in front of the jail between 7th and 8th on Ash will be dug out, filled with concrete and then have an asphalt overlay. The Maintenance Supervisor stated the area is about 15 x 45 which will more than likely need the road base rebuilt and then filled with six inches of

concrete with rebar. He would not recommend asphalt over the top as it will not hold up.

- d) CITY CLERK: Invites for the Chief's retirement party on Friday, September 20 from 4:00 to 6:00 p.m. at City Hall.

The banner project is coming along and a final proof was shown to Council.

Bond sale is progressing, no deadlines until October 7.

9. COUNCIL/MAYOR COMMENTS AND REPORTS:

Schmitt asked about a light out at 4th and Cedar. Officer Forkenbrock stated the light is farther north from the corner and is not out.

Schmitt also stated someone complained about the grass at city park and the amount of mowed grass laying on the practice field.

Schmitt also asked who mows the fields during soccer season, it was noted the city does. He also stated people are still asking about the bathrooms being unlocked during soccer practice at Jones Park. It was noted the city owns the building; however, it is responsibility of the organization holding the practices to open them. The City Clerk was directed to check on the cost of porta potties.

10. EXECUTIVE SESSION: At 8:14 p.m. Schmitt made the motion to recess to executive session for 15 minutes for Attorney-Client Privilege with the City Attorney attending. Harty seconded; motion carried. At 8:29 p.m. Council reconvened with no binding action taken.

11. ADJOURNMENT: Schmitt made the motion to adjourn to Monday, October 7, 2019 for at 7:00 p.m. for regular meeting. Shepard seconded; motion carried.

Respectfully submitted,

Julie Stutzman, CMC
Julie Stutzman, CMC
City Clerk

Approved by the governing body on October 7, 2019

Attest: Julie Stutzman, CMC
Julie Stutzman, CMC
City Clerk

